

COMMISSION ON TEACHER CREDENTIALING

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OFFICE OF THE EXECUTIVE SECRETARY

92-9205

Date: March 10, 1992

To: All Individuals and Groups Interested in the Activities of
the Commission on Teacher Credentialing

From: Philip A. Fitch, Ed.D.
Executive Secretary

Subject: Proposed Amendment of Section 80487 of Title 5,
California Code of Regulations, Pertaining to Fees

Notice of Public Hearing is Hereby Given:

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. The public hearing is scheduled on:

Date: May 7, 1992
Time: 1:30
Place: Radisson Hotel
500 Leisure Lane
Sacramento, CA

Statement of Reasons

On February 7, 1992, the Commission on Teacher Credentialing approved the proposal to hold a public hearing regarding a five dollar increase for the credential application fee. This would raise the fee from \$60, established on July 1, 1988, to \$65 effective September 1, 1992. The proposed changes appear in Title 5, §80487(a)(1) and are authorized by Education Code §44235.

As background information, the Commission's expenditures are funded from two separate sources: the Teacher Credentials Fund and

the Test Development and Administration Account. The Teacher Credentials Fund constitutes approximately 73% of the expenditures. These revenues are primarily based on the credential application fee. The Test Development and Administration Account constitutes approximately 27% of the income and is allocated solely for expenses related to test development and administration activities. Additionally, the Commission is required to maintain a prudent reserve of 21% derived from the Teacher Credentials Fund.

This five dollar increase for the credential application fee has been proposed to compensate not only for increases in expenditures due to an inflationary economy and additional costs, but also due to the implementation of Chapter 266 of the Statutes of 1991. Chapter 266 requires the transfer of \$1.9 million from the Teacher Credentials Fund to another state agency, The Commission on State Mandates. Because of this depletion of funds, the Commission's Teacher Credentials Fund will have an estimated deficiency of \$830,000 at the end of the 1991-92 fiscal year. The Department of Finance will authorize, pursuant to Education Code §44235.1(e), the Commission to borrow this amount from the Test Development and Administration Account to cover the shortfall, as a one-time non-repayable loan. At the end of the next fiscal year, 1992-93, with an estimated 7.5% increase in revenue, the Teacher Credentials Fund will have a reserve balance of only \$154,000.

A prudent reserve balance is required to compensate for any sudden drop in revenue such as a drop in the number of application fees received. Since 1984, the Department of Finance has established the prudent reserve at 21% of the expenditures from the Teacher Credentials Fund. The projected 1992-93 reserve balance of \$154,000 would constitute only 1.6%. If the five dollar increase is established, effective September 1, 1992, the Teacher Credentials Fund will be increased approximately \$487,000 raising the reserve balance to \$641,000 which would constitute 6.5%.

As stated earlier, the proposal to increase the credential application fee by five dollar is also based on the impact of the inflationary economy and additional costs placed on the Teacher Credentials Fund. Operating expenses have grown significantly since the last increase in 1988. These costs have far exceeded the additional revenue generated from the increased workload. The following are examples of this increased costs. The cost of printing has increased by 38%, postage by 37%, interagency consultant and professional services by 57%, and in-

state travel by almost 100% since 1988. The Commission has also experienced increased costs due to the implementation of new duties mandated by the Legislature. These directives include assuming the responsibility for credential waivers, directing the Paraprofessional Teacher Training Program, and establishing regulations for Emergency Permits. Since 1988, the Commission has also been responsible for advising, approving, and monitoring three additional institutions of higher education, and monitoring the assignment of credential personnel in seven counties. Any increases in salaries, benefits, and merit raises have directly affected the Teacher Credentials Fund.

The Commission has made a concerted effort to reduce expenses. Travel expenses have been reduced by holding all of the 1992 Commission meetings in Sacramento and by limiting attendance to out-of-state conferences and meetings. Professional Services has postponed several program evaluations until the Teacher Credentials Fund is more stable. The Licensing Division has implemented the Credential Automation System which is a more efficient and, over a period of time, a less costly way of processing applications.

If the proposed five dollar credential application fee is approved, this will directly effect the cost of duplicate credentials, Certificates of Clearance, and "name-change" credentials which are established at one-half of the credential application fee. The added \$2.50 for duplicate and "name-change" credentials would affect a very small population, less than one percent of all of the total number of applications received. The increase to the Certificate of Clearance would affect a larger population, but the \$32.50 would be credited to the individual according to the provisions of Education Code §44320(b) and could be applied towards his or her next credential application fee.

Because credentials are often compared to other licenses whenever renewal requirements or fees are discussed, the following is included for information purposes only and is not to be considered part of the justification for increasing the credential application fee. These are the licensing renewal fees for some of the professions which require comparable educational backgrounds: Marriage, Family & Child Counselor, \$150; Licensed Clinical Social Workers, \$150; Educational Psychologist, \$150; Speech Pathology and Audiology, \$75; and Registered Nurse, \$80. These licenses are all renewed on a two year cycle while many Commission credentials are renewed on a five-year cycle.

In addition to changing the credential application fee amounts in §80487(a)(1), the Commission would like to propose changes in the wording which would add clarity. By making the statement a complete sentence and by deleting "teaching and related" when referring to credentials which are already defined in §80487(a), the Commission hopes to make this easier to understand.

In comparing the 1988 Title 5 changes in §80487 to that found in the current Barclays California Code of Regulations, it was discovered that three words still appear that were requested to be deleted. The Commission sent a correction request to the Office of Administrative Law on March 2, 1992. The three words are as follows:

- (a)(2) The fee for a duplicate ~~or~~ credential . . .
- (a)(6) . . . applicable to all credentials, ~~permits~~.
- (a)(8) . . . or a fee of one hundred ~~twenty~~ dollars for the entire examination.

Document Relied Upon in Making Determination to Change These Regulations

Governor's Budget for 1990-1991
Governor's Budget for 1991-1992
Governor's Budget for 1992-1993
Analysis of the 1992-1993 Budget Bill: Item 6360, K-12
Education/VII, page 85
1990-1991 Cashier's Monthly Report

Submission of Written Comments

A response form is attached for your use in submitting written comments to the Commission's offices at 1812 9th Street, Sacramento, CA 95814-7000, at least one day prior to the date of the public hearing.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments on the proposed action. The written comment period closes at 5:00 p.m. on May 6, 1992.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Public Hearing

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda. You may call Dr. Philip A. Fitch, at (916) 445-0184.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide twenty-five copies. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

Modification of Proposed Action

If the Commission proposes to modify the action hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Contact Person/Further Information

Inquires concerning the proposed action may be directed to Yvonne Novelli at (916) 445-5865. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. In addition, all the information upon which this proposal is based is available for inspection and copying.

Attachments

COMMISSION ON TEACHER CREDENTIALING

PART VIII OF TITLE 5
CALIFORNIA CODE OF REGULATIONS

PROPOSED AMENDMENT TO SECTION 80487
FEES

Article 4. Fees for Credentials

§80487. Fees.

(a) For the purpose of this section credential means any certificate, permit authorization, or other certification document, which the Commission is empowered to issue.

(1) ~~The fee Fifty dollars~~ for the issuance, reissuance, or renewal of a ~~teaching or related~~ credential shall be sixty dollars unless otherwise established by law. Effective ~~July 1, 1988~~ September 1, 1992, this fee shall be ~~sixty~~ sixty-five dollars.

(2) The fee for a duplicate or credential shall be one-half the fee specified in (a)(1) or the credential fee established by law.

(3) Two hundred fifty dollars for a Board of Examiners' fee as provided in Section 80076.

(4) Thirty dollars for an examination processing fee as provided in Section 80077.

(5) Thirty-two dollars for the state basic skills assessment examination pursuant to Education Code Section 44252.5.

(6) Fourteen dollars, or the actual fee if different from this amount, to reimburse the Commission for the actual amount charged by the Federal Bureau of Investigation for furnishing its summary criminal history information applicable to all credentials, permits.

(7) Sixteen dollars and fifty cents, or the actual fee if it is different from this amount, to reimburse the Commission for the fee charged by the California State Department of Justice, Criminal Identification and Investigation Bureau, for furnishing its summary criminal history information on applicant for credentials.

(8) Thirty-eight dollars for each unit of the Bilingual-Crosscultural Competency Certificate examination if taken separately or a fee of one hundred twenty dollars for the entire examination, (all three units of the examination) if taken at the same time. For

persons who take only one section of the Language portion of the examination, a fee of thirty-five dollars will be charged.

(9) A fee of one hundred dollars for the full language Development Specialist examination; thirty-five dollars for Part I, and seventy-five dollars for Part II, if taken separately.

(10) A fee of one hundred dollars for the full Bilingual Certificate of Assessment Competence examination; a fee of thirty-seven dollars for either the oral production or case study section, and twenty-nine dollars for either the multiple choice or audio transcription section if taken separately.

(11) The fee for the Certificate of Clearance as specified in Section 80028 shall be one-half the fee (a)(1) or the credential fee established by law.

(b) Except for the fee specified in (a)(5), (a)(8), (a)(9), and (a)(10), the fees shall accompany the application for issuance, reissuance or renewal, or the request for a duplicate credential; the fees shall be deemed earned upon receipt and shall not be refunded even though the applicant does not qualify for the credential or subsequently finds a reportedly lost or destroyed document.

(c) The fee for examination administered by a contractor on behalf of the Commission, specifically (a)(5), (a)(8), (a)(9), and (a)(10), shall be paid directly to the testing contractor unless otherwise specified by contract.

(d) The applicant shall receive either a credential or an evaluation which sets forth the requirements which have not been met.

(e) Where an applicant has all the qualifications for a credential at the time the application therefore is submitted, but where required verification or documentation has been delayed, no new or additional fee shall be charged if such required verification or documentation is submitted within one year.

(f) Where applicable, each application for a credential shall be accompanied by an examination processing fee pursuant to Section 80077 of these regulations.

NOTE: Authority cited: Sections 44225, 44252.5 and 44475, Education Code.
Reference: Section 44235, 44252.5, 44253.5, 44280, 44289, 44298, 44332.5(b), 44339, 44340, 44341, 44352, 44479, 44481, 52134 and 52178, Education Code; and Section 11105(e), Penal Code.

COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street
Sacramento, California 95814-7000



Attn: Philip A. Fitch, Ed.D.
Executive Secretary

Title: Fees
Section No(s): 80487

Response to the Attached Title 5 Regulations

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations which are coming up for public hearing, please return this response form to the Commission office at the above address by 5 pm on May 6, 1992, in order that the material can be presented at the May 7, 1992, Commission meeting.

1. ☐ Yes, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. ☐ No, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional space is needed, use the reverse side of this sheet.)
3. ☐ Personal opinion of the undersigned only.
4. ☐ Organizational opinion of the undersigned only.
5. ☐ I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. ☐ No, I will not make a presentation to the Commission at the public hearing.

Name: _____ Date: _____

Title: _____

Representing: _____

(Circle One) School District, College, University, Professional Organization,
Private Citizen, Other